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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,541	11/16/2001	Scott D. Carty	9627	2616

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EXAMINER

AL HASHEMI, SANA A

ART UNIT

PAPER NUMBER

2171

3

DATE MAILED: 03/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/990,541

Applicant(s)

CARTY ET AL.

Examiner

Sana Al-Hashemi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Status: 1-29 rejected.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1- 5, 7, 9-13, 15-20, 22-27, and 29, are rejected under 35 U.S.C. 102(e) as being anticipated by Reisman (US Patent No. 6,594,692).

1. Regarding Claims 1, 9,16, and 23 Reisman discloses a logical data model for managing customer relationships for an E-Business retailer operating a web store web site, the logical data model including:

a plurality of entities and relationships defining the manner in which profile information related to web site visitors to said web store web site is stored and organized within a database (see column 10, lines 39-51, Reisman).

2. Regarding Claims 2, 10, 17, and 24 Reisman discloses a logical data model wherein said visitor comprises:

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an individual, household or organization of interest to said E- Business retailer (see column 11, lines 44-49, Reisman).

3. Regarding Claims 3, 11, 18, and 25 Reisman discloses a logical data model wherein said profile information comprises:

information concerning household and organizational affiliations of said visitors (see column 12, lines 14-26, Reisman).

4. Regarding Claims 4, 12, 19, and 26 Reisman discloses a logical data model wherein said profile information includes:

a customer score associated with each one of said web site visitors (see column 23, lines 18-21, Reisman).

5. Regarding Claims 5, 13, 20, and 27 Reisman discloses a logical data model wherein said customer scores are determined from previous behavior of said web site visitors with said E-Business retailer, and is an indication of said web site visitors future behavior with said E-Business retailer (see column 12, lines 27-56, Reisman).

6. Regarding Claims 7, 15, 22, and 29 Reisman discloses a logical data model wherein said profile information includes:

information concerning frequency of visits and frequency of transactions conducted by said visitors with said web store web site (see column 46, lines 21-31, Reisman).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6,8,14,21, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reisman (US Patent No. 6,594,692) in view of Simmons (US Patent No. 5,974,451).

7. Regarding Claims 6, 14, 21, and 28 Reisman discloses all of the claimed limitations as addressed above including a user profile (see column 60, lines 33-39, Reisman¹). Although, Reisman appears to disclose (i.e. inherently) the information being “residence information about said visitors”. However, to expedite prosecution the Examiner presents Simmons, column 5, lines 35-38, which clearly lists all of the claimed subject matter (information concerning occupations of said visitors; information concerning income levels of said visitors; information concerning educational levels of said visitors; marital status information about said visitors; gender information about said visitors; ethnicity information about said visitors; residence information about said visitors; and language information about said visitors). It would have been obvious to one of ordinary skill in the art at the time of the invention to add/modify the Reisman by expanding the user ID profile to include all the limitations subject matter with the

¹ Since the system completes and maintains billing for the end user, the system must have all user's information as claimed in claims 6,14,21, and 28.

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motivation of providing the users with all the information according to their need in more sufficient ways which will improve the quality of the retrieved information in less time.

8. Regarding Claim 8, the combination of Reisman in view of Simmons discloses logical data model further comprising a subject area within said logical data model defining the manner in which profile information concerning web site visitors to a web store web site operated by said E-Business retailer is stored and organized within said database; said subject are including: an entity including attributes relating to occupations of said visitors; an entity including attributes relating to income levels of said visitors; an entity including attributes relating to educational levels of said visitors, an entity including attributes relating to marital status of said visitors; an entity including attributes relating to gender information of said visitors; an entity including attributes relating to ethnicity of said visitors; an entity including attributes relating to residence information of said visitors; and an entity including attributes relating to language information of said visitors (see column 5, lines 39-47, Simmons).

Other Prior Art Made of Record

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Points of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to: Sana Al-Hashemi whose telephone number is (703) 305-4881. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436. Any response to this office action should be mailed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231. Or telefax at phone number (703) 872-9306. For formal or draft communications, please label "PROSPOSED" or "DRAFT". Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, 6th Floor Receptionist, Arlington, Virginia. 22202.

Sana Al-Hashemi
Patent Examiner
Technology Center 2100
March 1, 2004


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